

REMARKS

Summary of Claim Status

In the Office Action, the Examiner noted that claims 1, 2, 4-10, 12-20, and 22-36 are pending in the application and that claims 1, 2, 4-10, 12-20, and 22-36 are rejected for the reasons discussed below. Claims 6, 9-10, 14-19, and 22-36 are objected to for minor informalities.

Applicant requests the favorable reconsideration of the claims and withdrawal of the pending rejections and objections, in view of the present amendment and in light of the following remarks.

Objections to the Claims due to informalities

Claims 6, 9-10, 14-19 and 22-36 are objected to, due to minor informalities. Claims 9, 16, 22, 31, and 35 are amended to correct the minor informalities. Applicant believes the Claims, as amended, overcome the objections cited by the office action and they are patentable. Claim 6 is not amended. Applicant believes that Claim 6 is correct as originally presented, and that the amendment suggested in the Office Action is not necessary. No new matter has been introduced by the above amendments.

Rejections Under 35 USC § 112

Claims 14-17 are rejected under 35 USC § 112, first paragraph, as failing to comply with the enablement requirement. Applicant respectfully disagrees and submits that Claims 14-17 as presented are described in the specification and meet the enablement requirement, such that they are understood by a person of ordinary skills in the art.

For example, paragraph [0063] describes “a self-contained embodiment, for example, the host programmer of a system for true random number generation may program configuration memory of the programmable logic device 130 to configure an internal link 163 (e.g., via resources of the programmable fabric of the programmable logic device) to couple between the output of transmitter buffer 162 and the input of the receiver buffer 172. With such link configured within programmable logic device 350, the true random number generation may be realized conveniently, self-contained

from within the device". Also, paragraph [0075] describes "the sampling controller ... could be either external or internal to the overall integrated circuit device 350". The paragraphs indicated above show that sampling controller 394 and the generator 392 may be internal to the logic device 350, and that in some embodiments the random number generator may be contained within a single device, which may be beneficial. Therefore, Applicant believes that Claim 14 meets the enablement requirement and allowance of Claim 14 is respectfully requested.

Claim 15 is amended to depend from Claim 9, thereby rendering the rejection moot. Support for the amendment may be found at least in paragraph [0031]. For example, paragraph [0031] describes "the host programmer may program data into the configuration memory cells for interconnecting a first internal block memory to a transmitter of a transceiver, and a second internal block memory to a reference comparator". Applicant believes that Claim 15 is patentable and allowance of Claim 15 is respectfully requested.

Claims 16 and 17 depend from Claim 15, and are also believed to be patentable for at least the same reasons.

Applicant believes that Claims 14-17 comply with the enablement requirement, and allowance of Claims 14-17 is respectfully requested.

Rejections Under 35 USC § 103(a)

Claims 1-2, 4-10, 12, 20, and 22-36 are rejected under 35 USC § 103(a) as being unpatentable over Lesea, U.S. Patent 7,218,670 ("Lesea") in view of Wallace, U.S. Patent 5,633,816 ("Wallace"). Applicant respectfully disagrees for the reasons set forth below. Reconsideration and allowance of the application are respectfully requested.

The rejection of Claims 1-2, 4-10, 12, 20, and 22-36 is moot, because Lesea is removed as prior art under 35 USC §103(c), based on the Statement of Common Ownership provided herewith. Applicant notes that the Office Action states "the reference (i.e., Lesea) constitutes prior art only under 35 USC §102(e)."

The Lesea reference was issued after the filing date of the present application, therefore, Lesea may not be used to preclude patentability under 35 USC § 103(a), and the rejection of Claims 1-2, 4-10, 12, 20, and 22-36 should be withdrawn.

Furthermore, the Wallace reference describes a generator circuit generating a sequence of random numbers, where a shift register circuit clocked by a system clock generates the sequence of random numbers. The numbers generated would only be a pseudo-random sequence of numbers that approximate the properties of random numbers. As one of skill in the art will readily appreciate, the sequence of pseudo-random numbers generated by the circuit in Wallace is not truly random in that it is completely determined by a relatively small set of initial values applied to the shift register circuit.

Claim 1 includes the features of a receiver to receive a signal, a recovery circuit to recover data, a controller to sufficiently stress the recovery circuit, and an extractor to define a random number. Claim 7 includes the features of a transceiver, a jitter performance tester, and an extractor circuit. Claim 20 includes the features of providing first data based on reference data, comparing the first data to the reference data and determining differences there between, counting the differences determined, sampling at least a portion of the counting over a duration, and defining the random number based on the sampling over the duration.

Applicant believes that Claims 1-2, 4-10, 12, 20, and 22-36 are patentable, and allowance of Claims 1-2, 4-10, 12, 20, and 22-36 is respectfully requested.

STATEMENT OF COMMON OWNERSHIP

The present application (Serial No. 10/783,762) and U.S. Patent No. 7,218,670 to Lesea et al. were, at the time of invention of the present application, owned by or subject to an obligation of assignment to the assignee of the present application, Xilinx, Inc.

CONCLUSION

No new matter has been introduced by any of the above amendments. Reconsideration and a notice of allowance are respectfully requested in view of the Remarks presented above. If the Examiner has any questions or concerns, a telephone call to the undersigned is invited. The Applicant's attorney can be reached at Tel: 408-879-4641 (Pacific Standard Time).

Respectfully submitted,
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I hereby certify that this correspondence is being filed via EFS-Web with the United States Patent & Trademark Office on March 12, 2008.

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